



1 case or transfer it to the proper federal court “in the interest of justice.” 28 U.S.C. §  
2 1406(a). Venue may be raised by the court sua sponte where the defendant has not yet  
3 filed a responsive pleading and the time for doing so has not run. Costlow v. Weeks,  
4 790 F.2d 1486, 1488 (9th Cir. 1986).

5 Accordingly, IT IS ORDERED that, in the interest of justice and pursuant to 28  
6 U.S.C. § 1406(a), this action be TRANSFERRED to the United States District Court for  
7 the District of Colorado. The Clerk shall transfer this matter forthwith.

8 SO ORDERED.

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10 DATED: 12/14/07



11 THELTON E. HENDERSON  
12 United States District Judge  
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